

Message

From: Neugeboren, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CFD837AC503949A9820715B53BA921E6-SNEUGEBO]
Sent: 7/25/2017 6:11:34 PM
To: Schroer, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=573fc5bb4942495d9fc3cd9438634244-LSCHROER]
Subject: Re: STEVE: Follow up email from David F on call with Idaho

Thursday at 4 is good

Sent from my iPhone

On Jul 25, 2017, at 1:29 PM, Schroer, Lee <schroer.lee@epa.gov> wrote:

Steve – David is following up about our availability for a call with Idaho. I had responded to David yesterday that a call Thurs after 4pm (which David says would work for him) would work for me. I think that would be the best time. We are scheduled to brief him on Thurs at noon. CCILLO said they could join a Thurs call with Idaho. I think we will also want to invite R10 ORC but wanted to clear that with David first. Idaho also offered Fri after 1pm which would work for me but I think Lauren M will be out.

Lee C. Schroer
Office of General Counsel (Mail Code 2355A)
Room 7518C William Jefferson Clinton Bldg North
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Tel: 202-564-5476

From: Fotouhi, David
Sent: Tuesday, July 25, 2017 1:07 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>
Subject: FW: Additional Information: Idaho's Human Health Criteria Rule

FYI re Idaho

David Fotouhi

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From: Jess.Byrne@deq.idaho.gov [<mailto:Jess.Byrne@deq.idaho.gov>]
Sent: Tuesday, July 25, 2017 12:44 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>; John.Tippets@deq.idaho.gov; Don.Essig@deq.idaho.gov; Mark.Cecchini-Beaver@deq.idaho.gov; Barry.Burnell@deq.idaho.gov
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: RE: Additional Information: Idaho's Human Health Criteria Rule

Lee—

It was nice to meet you as well and we really appreciate you taking the time to discuss our human health criteria rule with us. During the call, we committed to providing you with summaries of the Nez Perce & Shoshone-Bannock Tribes' fish consumption surveys. Links to those surveys are below. It's important to recognize that DEQ used tribal "group 2" fish consumption rates to set our human health criteria – which includes species of fish that spend very little to no time in Idaho water – making our selection very conservative. Additionally, as you know, there are many other factors that go into setting a human health criteria. These include inputs such as relative source contribution, bioaccumulation factors, drinking water intake, and body weight – and we used conservative selections for these factors as well.

Nez Perce Survey – <http://www.deq.idaho.gov/media/60177353/58-0102-1201-fish-consumption-survey-nez-perce-tribe.pdf>

The Executive Summary begins on page 49 (of 412) and the Group 2 fish consumption rate mean value of 66.5 g/day can be found on page 51. Table E2 (on page 272 of 412) presents a more detailed breakout of the distribution of Group 2 fish consumption rates, and is another place where you will find the mean value of 66.5 g/day that we ultimately used in our rule.

Shoshone-Bannock Survey – <http://www.deq.idaho.gov/media/60177352/58-0102-1201-fish-consumption-survey-shoshone-bannock-tribes.pdf>

The Executive Summary begins on page 49 (of 326) and similarly, Table E2 (on page 269 of 326) has Group 2 fish consumptions rates with the overall mean being 18.6 g/day.

For reference, I am also including some additional information below in case it is helpful.

Justification and Compliance with CWA Document – <http://www.deq.idaho.gov/media/60179450/58-0102-1201-human-health-criteria-justification-compliance-clean-water-act-1216.pdf>

Rulemaking webpage with all information – including Final Submittal to EPA – <http://www.deq.idaho.gov/laws-rules-etc/deq-rulemakings/docket-no-58-0102-1201/>

The final submittal package can be found near the top of the page. If you scroll through the webpage, you can get a feel for all of the time, effort, and stakeholder involvement that went into this rulemaking.

Idaho Survey – <http://www.deq.idaho.gov/media/60178495/58-0102-1201-nwrg-technical-report-033116.pdf>

The NCI Method Analysis – <http://www.deq.idaho.gov/media/60178495/58-0102-1201-nwrg-technical-report-033116.pdf> Tables 3 and 4 (page 18 of 276) summarize fish consumption rates from the Idaho survey.

I know this is a lot of information to sift through, so we would be happy to help answer any questions you might have or be of assistance any other way that we can. I've also tried to direct your attention to the most relevant sections of the documents.

Again – thank you for your time and we look forward to continuing our discussion with you.

Kind regards,
Jess

Jess Byrne | Deputy Director
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From: Forsgren, Lee [<mailto:Forsgren.Lee@epa.gov>]
Sent: Friday, July 21, 2017 4:22 PM
To: John Tippets; Jess Byrne; Don Essig; Mark Cecchini-Beaver; Barry Burnell
Cc: Fotouhi, David; Greenwalt, Sarah; Schwab, Justin
Subject: RE: Additional Information: Idaho's Human Health Criteria Rule

Jess,

It was very nice to meet you, if only over the phone. I look forward to working with you as we move forward.

Regards,
Lee

D. Lee Forsgren

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From: John.Tippets@deq.idaho.gov [<mailto:John.Tippets@deq.idaho.gov>]
Sent: Friday, July 21, 2017 5:40 PM
To: Jess.Byrne@deq.idaho.gov; Don.Essig@deq.idaho.gov; Mark.Cecchini-Beaver@deq.idaho.gov; Barry.Burnell@deq.idaho.gov
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Subject: RE: Additional Information: Idaho's Human Health Criteria Rule

Jess—

I am sending this email so that everyone has access to the email addresses for the group involved with discussions related to Idaho's human health criteria rule.

We appreciate EPA representatives taking the time to talk with us today.

Regards,

<image002.jpg>
John H. Tippets, Director
Department of Environmental Quality

From: Forsgren, Lee [<mailto:Forsgren.Lee@epa.gov>]
Sent: Friday, July 21, 2017 3:20 PM
To: John Tippets
Cc: Fotouhi, David; Greenwalt, Sarah; Schwab, Justin
Subject: RE: Additional Information: Idaho's Human Health Criteria Rule

John,

Thanks for taking time to speak this afternoon.

We look forward to closing the loop with you on the criteria and legal issues we discussed.

Regards,
Lee

D. Lee Forsgren

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